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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,509	03/07/2002	Yukihiro Sugiyama	33240M015	8855

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EXAMINER	
MISTRY, O NEAL RAJAN	

ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/091,509	SUGIYAMA ET AL.	
	Examiner	Art Unit	
	O'Neal R. Mistry	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 March 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *10-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *10-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 March 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 3/7/02
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This application has been examined.

Claims 10-15 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10-15 rejected under 35 U.S.C. 102(e) as being anticipated by Paul et al (U.S. Publication 2002/0008561).

In regards to claims 10 & 11, Paul discloses a moving object contour detecting apparatus for detecting the contour of a moving object on the basis of a differential response type time series signal output from each of pixel electrodes in a moving object detection device using a visual pigment similar photoelectric protein (paragraph 2, Note the examiner interprets that the system does the imaging of two different images in real-time. The real-time is the difference in time between the two images. The first is image is take at a certain time, and the second image is taken a different time other than first image. Then the images are compared to calculated the movement. In addition, the images are can be generated from a color camera which might use a CCD, or any other form for capturing electric pixels to create an image.), comprising: first means for

calculating a time differential value of the time series signal output from each of the pixel electrodes (paragraph 10, Note the examiner interprets that the system is capturing images in real-time which means the images have a differences between each other by time. By have an image two different images at two different points in time also to evaluate motion); second means for comparing the time differential value obtained by the first means with a threshold value for leading edge detection and a threshold value for trailing edge detection (paragraph 36, Note the system compares the two images and the color of intensities to analyze the output of motion of the image. The calculation is compared to a threshold value.); and third means for deciding whether an image input to the pixel electrode is a leading edge of the moving object, a trailing edge of the moving object, or others on the basis of the result of the comparison by the second means (Figure 4, paragraph 38, Note the examiner interprets Figure 4 by viewing image 1 and image 2. The two images have a difference between each other. The two images are compared on to each other by which leaves us with the leading edge and trailing edge. The intensity values of the edges demonstrates the movement of the object within the images, and allows the system to further calculated the projection of the object, by calculating the centroid of the second image.).

In regards to claims 12 & 14, Paul discloses a moving object region detecting apparatus for detecting a moving object region on the basis of a differential response type time series signal output from each of pixel electrodes in a moving object detection device using a visual pigment similar photoelectric protein (paragraph 2, Note the examiner

interprets that the system does the imaging of two different images in real-time. The real-time is the difference in time between the two images. The first is image is take at a certain time, and the second image is taken a different time other than first image. Then the images are compared to calculated the movement. In addition, the images are can be generated from a color camera which might use a CCD, or any other form for capturing electric pixels to create an image.), comprising: first means for calculating a time differential value of the time series signal output from each of the pixel electrodes(paragraph 10, Note the examiner interprets that the system is capturing images in real-time which means the images have a differences between each other by time. By have an image two different images at two different points in time also to evaluate motion); second means for comparing the time differential value obtained by the first means with a threshold value for leading edge detection and a threshold value for trailing edge detection (paragraph 36, Note the system compares the two images and the color of intensities to analyze the output of motion of the image. The calculation is compared to a threshold value.); third means for deciding whether an image input to the pixel electrode is a leading edge of the moving object, a trailing edge of the moving object, or others on the basis of the result of the comparison by the second means (Figure 4, paragraph 38, Note the examiner interprets Figure 4 by viewing image 1 and image 2. The two images have a difference between each other. The two images are compared on to each other by which leaves us with the leading edge and trailing edge. The intensity values of the edges demonstrates the movement of the object within the images, and allows the system to further calculated the projection of the object, by

calculating the centroid of the second image.); and fourth means for deciding whether or not the image input to the pixel electrode is in a moving object region on the basis of the result of the decision by the third means (paragraph 40).

In regards to claims 13 & 15, Paul discloses the fourth means decides whether or not the image input to the pixel electrode is in a moving object region on the basis of the result of the decision by the third means and the previous result of the decision by the fourth means (paragragh 41), and the result of the decision indicating that the image input to the pixel electrode is not in the moving object region is used as an initial value of the previous result of the decision by the fourth means (paragraph 43).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R. Mistry whose telephone number is (703) 305-4675. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh M. Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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